

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O.A.No.473/97

Tuesday this the 8th day of April, 1997.

CORAM

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN

HON'BLE MR. P.V.VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

N. Rajan  
CPC Khalasi,  
Inspector of Works Office,  
Southern Railway, Quilon,  
residing at Uma Nilayam,  
Ward-C Kilikolloor,  
Quilon District.

... Applicant

(By Advocate Mr. V.R.Ramachandran Nair)

Vs.

1. Union of India represented by  
the General Manager, Southern  
Railway, Madras.
  2. The Senior Divisional Personnel Officer,  
Southern Railway, Trivandrum.
  3. The Divisional Railway Manager,  
Southern Railway, Trivandrum.
  4. The Senior Divisional Engineer,  
Southern Railway, Trivandrum.
  5. The Inspector of Works,  
Southern Railway, Trivandrum.
- .... Respondents

(By Advocate Ms. Mary Nirmala for T.M.Nellimootil)

The application having been heard on 8.4.1997, the  
Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN

This is the second round of litigation  
between the applicant and respondents in regard to  
the applicant's absorption as a Skilled Labour Painter.  
He earlier filed O.A.1555/94 seeking absorption as  
also inclusion in the Seniority List of Skilled Labour  
Painter. That application was dismissed. However,

contd....




it was observed that the dismissal of the application would not stand in the way of the respondents considering the applicant's case for absorption separately as a Skilled Labour (Painter) in view of his long experience in the Skilled grade. On the basis of the above observation the applicant made a representation for absorption separately as a Skilled Labour Painter on 22.12.95 (A-8). Finding no response to this representation the applicant has filed this application seeking the following reliefs:

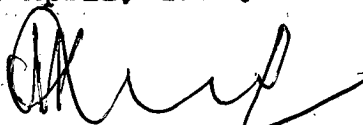
- (i) to issue a direction to the respondents to consider the applicant for absorption as Skilled Labourer (Painter) in view of his long experience in the skilled grade.
- (ii) to direct the respondents to pay difference in wages for the period 1.9.91 to 27.4.1994 during the period of the applicant was engaged as Skilled Painter.
- (iii) to issue such other orders or directions as this Hon'ble Tribunal may deem fit and proper in the circumstances of the case.

2. We have heard the learned counsel on either side. The counsel for applicant states that the applicant would be satisfied if the respondents are directed to consider A-8 representation in accordance with law and give him a speaking order within a stipulated time frame. Counsel for the respondents has no objection for the application being disposed of with appropriate direction in that regard.

3. In the result the application is disposed of with a direction to the second respondent to consider and dispose of the representation submitted by applicant on 22.12.95 (A-8) and give the applicant a speaking order within a period of one month from the date of receipt of a copy of this order. No costs.

Dated the 8th day of April, 1997.

  
P.V. VENKATAKRISHNAN  
ADMINISTRATIVE MEMBER

  
A.V. HARIDASAN  
VICE CHAIRMAN

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List of Annexure

Annexure A-8 : True copy of the representation dated 22-12-1995 submitted by the applicant to the Divisional Personnel Officer to consider him for trade test and absorption as Skilled Labour and to pay wages for the skilled work.

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